

**BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO**

BRETT FULLER,	)	
	)	
Claimant,	)	<b>IC 03-002300</b>
v.	)	
	)	
DAVID MUNDHENK,	)	<b>ORDER</b>
	)	
Employer,	)	
Defendant.	)	<b>FILED OCT 14 2005</b>
_____	)	

Pursuant to Idaho Code § 72-717, Referee Douglas A. Donohue submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant is entitled to TTD benefits in the amount of \$34,403.83;
2. Claimant is entitled to medical care benefits to the date of hearing in an amount not less than \$422,573.49;
3. Claimant is entitled to PPI rated at 44% of the whole person in the amount of \$63,591.00;
4. Claimant is entitled to an award of attorney fees under Idaho Code §§ 72-804 and/or 72-210;

**ORDER - 1**

5. Claimant is entitled to costs plus \$52,056.83 pursuant to Idaho Code § 72-210.

6. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this 14<sup>TH</sup> day of OCTOBER, 2005.

INDUSTRIAL COMMISSION

/S/\_\_\_\_\_  
Thomas E. Limbaugh, Chairman

/S/\_\_\_\_\_  
James F. Kile, Commissioner

/S/\_\_\_\_\_  
R. D. Maynard, Commissioner

ATTEST:

/S/\_\_\_\_\_  
Assistant Commission Secretary

**CERTIFICATE OF SERVICE**

I hereby certify that on 14<sup>TH</sup> day of OCTOBER, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following:

Christopher Caldwell  
P.O. Box 607  
Lewiston, ID 83501

David Mundhenk  
P.O. Box 3512  
Post Falls, ID 83877

db

/S/\_\_\_\_\_

**ORDER - 2**